

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Mt. Jefferson Farms Inc.  
PO Box 12708  
Salem OR 97309

confirms the right to use the waters of the North Santiam River and Smallman Creek, tributaries of the Santiam River, for irrigation of 191.6 acres.

This right was perfected under Permit 26583. The date of priority is February 10, 1960. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 2.24 CUBIC FEET PER SECOND, or its equivalent in case of rotation, from the North Santiam River measured at the point of diversion from the source, and 0.16 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, from Smallman Creek measured at the point of diversion from the source.

The points of diversion are located as follows:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Location
9	S	2	W	W.M.	34	SE SE	1470' N & 3530' W
10	S	2	W	W.M.	3	NW NE	3020' N & 140' W
10	S	2	W	W.M.	3	SE NE	430' N & 180' E
10	S	2	W	W.M.	3	NW NW	1670' N & 1490' W
10	S	2	W	W.M.	3	NW SW	580' S & 3400' W
All from westerly NW corner, Smallman DLC 53							

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2½ acre-feet for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

0.1 ACRES NE SE (as projected within Chamness DLC 59)  
6.4 ACRES NE SE Lot 1  
0.4 ACRES NW SE (as projected within Chamness DLC 59)  
4.3 ACRES NW SE Lot 6  
8.6 ACRES SE SE Lot 2 & 3  
12.7 ACRES SW SE Lot 2  
3.4 ACRES SE SW

SECTION 34  
TOWNSHIP 9 SOUTH, RANGE 2 WEST, W.M.

14.0 ACRES NW NE Lot 10  
5.0 ACRES SW NE Lot 9  
40.6 ACRES NE NW  
7.7 ACRES NW NW  
26.7 ACRES SE NW Lot 8  
18.6 ACRES SW NW  
0.5 ACRES NW SE Lot 4  
26.3 ACRES NE SW Lot 5  
12.3 ACRES NW SW Lot 6 & 7

SECTION 3  
TOWNSHIP 10 SOUTH, RANGE 2 WEST, W.M.


3.5 ACRES SE NE Lot 6  
0.5 ACRES NE SE Lot 1

SECTION 4  
TOWNSHIP 10 SOUTH, RANGE 2 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 37597, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered APR 28 2004, approving Transfer Application 9487.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed APRIL 28, 2004.

  
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Paul Cleary, Director

Recorded in State Record of Water Right Certificates numbered 80654.